Misc

Montana Fish, Wildlife & Parks

1400 South 19th
Bozeman, MT 59718

February 14, 2002

To: Governor's Office, Todd O'Hair, Room 204, State Capitol, P.O. Box 200801, Helena, MT 59620-0801
Environmental Quality Council, Capitol Building, Room 106, P.O. Box 201704, Helena, MT 59620
Dept. Environmental Quality, Metcalf Building, P.O. Box 200901, Helena, MT 59620-0901
Dept. of Fish, Wildlife & Parks:

Director's Office	Parks Division	Lands Section
FWP Commissioners	Wildlife Division	Design & Construction
Legal Unit	Fisheries Division	

MT Historical Society, State Historic Preservation Office, P.O. Box 201202, Helena, MT 59620-1201
Montana State Parks Association, P.O. Box 699, Billings, MT 59103
Montana State Library, 1515 E. Sixth Avenue, P.O. Box 201800, Helena, MT 59620
James Jensen, Montana Environmental Information Center, P.O. Box 1184, Helena, MT 59624
Janet Ellis, Montana Audubon Council, P.O. Box 595, Helena, MT 59624
George Ochenski, P.O. Box 689, Helena, MT 59624
Beaverhead County Commissioners, Beaverhead County Courthouse, Dillon, MT 59725
Jerry DiMarco, P.O. Box 1571, Bozeman, MT 59771-1571
Montana Wildlife Federation, P.O. Box 1175, Helena, MT 59624
Wayne Hurst, P.O. Box 728, Libby, MT 59923
Glenn Hockett, Gallatin Wildlife Association, 745 Doane Road, Bozeman, MT 59715
Bob Raney, 212 So. 6th, Livingston, MT 59047
Tom Sather, Headwaters Fish & Game Association, P.O. Box 1941, Bozeman, MT 59771-1941
Perry Backus, 65 Redtail, Dillon, MT 59725
John Gatchell, Montana Wilderness Association, P.O. Box 635, Helena, MT 59624
Public Lands Access Association, William Fairhurst, Box 247, Three Forks, MT 59752
Jack Atcheson, State Lands Coalition, 3210 Ottawa Street, Butte, MT 59701
Skyline Sportsmen's Assoc., P.O. Box 173, Butte, MT 59701
Anaconda Sportsman's Club, #2 Cherry, Anaconda, MT 59711
Jefferson Valley Sportsman's Assoc., P.O. Box 663, Whitehall, MT 59759
Prickly Pear Sportsman's Assoc., 1721 Virginia Dale St., Helena, MT 59601
Scott McMillion, P.O. Box 1226, Livingston, MT 59047
Roscoe Pilon, 1425 Carrigan Lane, Dillon, MT 59725
Paul Godecke, 4000 South US Hwy 91, Dillon, MT 59715
Bill Tash, 1200 Highway 178, Dillon, MT 59725
Jim Roscoe, 1100 Carrigan Lane, Dillon, MT 59725
Dennis Rehse, 2590 Carrigan Lane, Dillon, MT 59725

Dear Ladies and Gentlemen:

The enclosed Environmental Assessment (EA) has been prepared for the Poindexter Slough Fishing Access Site Bridge Project.

The comment period will be from February 14, 2002 until 5:00 p.m. March 18, 2002. Please send any comments you may have to: Tom Greason, Poindexter Slough FAS EA, Montana Fish, Wildlife, & Parks, 1400 S 19th Avenue, Bozeman, MT 59718, or e-mail: tgreason@montana.edu.

Sincerely,

Patrick J. Flowers by T.W.

Patrick J. Flowers
Regional Supervisor

Beaverhead 12

Enclosure

Draft
Environmental Assessment

BRIDGE INSTALLATION
at
POINDEXTER SLOUGH
FISHING ACCESS SITE

January 2002

Montana Fish, Wildlife & Parks

DRAFT
MEPA/NEPA/HB495 CHECKLIST

PART I. PROPOSED ACTION DESCRIPTION

1. **Type of Proposed State Action** Relocate easement, construct bridge, remove northern water gap, fence two water gaps at existing ford crossing, reduce east bank rip-rap elevation at Poindexter Slough Fishing Access Site.

2. **Agency Authority for the Proposed Action** The 1977 Montana Legislature enacted statute 87-1-605, which directs Fish, Wildlife & Parks (FWP) to acquire, develop and operate a system of fishing accesses. Statute 87-1-209 directs the FWP Commission to approve easements.

3. **Name of Project** Bridge Installation at Poindexter Slough Fishing Access Site

4. **Name, Address and Phone Number of Project Sponsor (if other than the agency)**
Sponsored by Fish, Wildlife & Parks (FWP) and
Tom Miller, 15 Ramshorn, Dillon, MT 59725, 406-683-2175

5. **If Applicable:**

Estimated Construction/Commencement Date	Late Winter/Early Spring 2002 or 2003
Estimated Completion Date	May 14, 2002 or 2003
Current Status of Project Design (% complete)	90%

6. **Location Affected by Proposed Action (county, range and township)**
The ford and proposed bridge location is at the south end of Poindexter Slough Fishing Access Site, which can be reached by traveling three miles south of Dillon on Highway 41, then walking south along the slough for approximately ¾ mile. The site can also be reached by vehicle through the sponsor's private property accessed from Carrigan Lane, south off Highway 41. The site is in Beaverhead County, Montana, Township 7 South, Range 9 West, S ½ SE ¼ SE ¼ Section 34.

7. **Project Size: Estimate the number of acres that would be directly affected that are currently:**

(a) Developed:
residential..... ___ acres
industrial ..... ___ acres

(b) Open Space/Woodlands/
Recreation ..... ___ acres

(c) Wetlands/Riparian
Areas ..... ___ acres

(d) Floodplain ..... 1 acres

(e) Productive:
irrigated cropland..... ___ acres
dry cropland ..... ___ acres
forestry ..... ___ acres
rangeland..... ___ acres
other..... ___ acres

8. **Map/site plan: attach an original 8 1/2" x 11" or larger section of the most recent USGS 7.5' series topographic map showing the location and boundaries of the area that would be affected by the proposed action. A different map scale may be substituted if more appropriate or if required by agency rule. If available, a site plan should also be attached.**

Please refer to Appendix 2-Site Location Map and Appendix 3-Site Map; the bridge design is illustrated in Appendix 4.

9. **Narrative Summary of the Proposed Action or Project including the Benefits and Purpose of the Proposed Action.**

The south end of Poindexter Slough Fishing Access Site consists of a narrow corridor on either side of the slough to allow walk-in angler access. The slough is a tributary of the Beaverhead River and primarily used for irrigation and fishing. Tom Miller owns parcels on the east and west sides of the fishing access site and proposes to replace an existing ford with a bridge at a different location for the purpose of accessing the west parcel. Rail fence will connect the bridge to existing fences on either side of the slough to eliminate shoreline degradation by cattle, yet allow easy pass-through by anglers. The jack-leg fence, which defines the ford, will be partially removed and modified to provide an enclosed cattle water gap on each side of the slough. Scarification and seeding with native riparian grass mixture will expedite reclamation of the hard packed road on either side of the ford. An existing water gap by the railroad trestle (north end of Miller's west parcel) will be removed, fenced, and reclaimed with riparian grass seed and sprigged willows. In addition, the landowner proposes to lower rip-rap elevations about 2 feet on the eastern bank (north of the ford) for a distance of about 50 yards. This bank was stabilized more than necessary after the flood of 1984. Sod from the bridge construction site or top soil seeded with riparian grass mixture and sprigged willows would be placed on top of the bank after removing the top layer of rip-rap. Miller will remove old fencing, modify the water gaps and build/maintain the bridge as it pertains to the easement and gaps; FWP will construct and improve fencing along the slough banks to secure them from livestock.

Miller's east parcel (96 acres) can be accessed from Carrigan Lane. The west parcel (9.5 acres) is bordered by private property on the south, the Union Pacific Railroad on the west, and Poindexter Slough on the east. Both east and west parcels are wild hay and grazing lands. The west tract is used primarily for cattle grazing in fall and winter. Landowner access across the slough is important for weed control, stock inspections, and fence repair, but the existing easement provides the only access to the west parcel. The ford has a gravel bottom and is used by spawning brown trout.

The ford location was surveyed as a 20' x 257' property easement (C.O.S. 355, 1982). The creek here is about 60 feet wide (May 2001) with gently sloping banks. The new bridge location would be approximately 150 yards upstream, and about 50 yards from the southern FAS boundary, where the slough is about ten feet wide. The bridge plans specify a span of 37 feet to allow 50% of the floodplain width on the west bank to be maintained as per recommendation of the FWP fisheries biologist (310 Permit signed February 8, 2000). The three-foot eastern bank is abrupt, but the western bank is stepped on the inside curvature of the slough channel. The bridge will be set on 24-inch nominal rock rip-rap abutments keyed into the stream bed three feet deep and about 5 feet wide. Rip-rap will extend about 10 feet up- and downstream and at both ends of the bridge to stabilize banks. Treated timber sills and stringers will support wooden decking 16 feet wide. A formal road will not be developed on the west side of the bridge. The use of a bridge for crossing will alleviate disturbance to the streambed and spawning fish.

To complete the proposed project, the change in easement location must be approved by the Fish, Wildlife and Parks Commission. In addition, federal Land and Water Conservation Funds were used to acquire this fishing access site, thus the National Park Service, who administers these funds, must also approve the project prior to the change in easement and bridge construction.

10. Listing of any other Local, State or Federal agency that has overlapping or additional jurisdiction.

(a) Permits: all permits will be filed by FWP or the contractor 3-4 weeks prior to construction

Agency Name	Permit	Date Filed/#
Fish, Wildlife & Parks	124 Water Quality Permit	01/20/00; signed 02/08/00
Army Corps of Engineers	404 Fill Permit	
DNRC – Beaverhead County	Floodplain construction permit	
Beaverhead County	Weed Permit	

(b) Funding

Agency Name	Funding Amount
Tom Miller	all construction and EA preparation costs

(c) Other Overlapping or Additional Jurisdictional Responsibilities

Agency Name	Type of Responsibility
State Historic Preservation Office (SHPO)	cultural site protection
National Park Service	approval of alteration to a site encumbered with Land and Water Conservation Funds

11. List of Agencies Consulted during Preparation of the EA.

Fish, Wildlife and Parks
- Parks Division
- Fisheries Division
- Wildlife Division
- Design and Construction Bureau
- Nongame Species Coordinator
- Lands Division

Montana Natural Heritage Program (Natural Resources Information System)
Department of Natural Resources and Conservation (floodplain management)
Bureau of Land Management, Dillon (wildlife)
State Historic Preservation Office

PART II. ENVIRONMENTAL REVIEW

PHYSICAL ENVIRONMENT

1. LAND RESOURCES Will the proposed action result in:	IMPACT☼				Can Impact Be Mitigated☼	Comment Index
	Unknown☼	None	Minor☼	Potentially Significant		
▸a. Soil instability or changes in geologic substructure?			X		yes	1a. see below
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?			X		yes	1b. see below
▸c. Destruction, covering or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?			X		yes	1d. see below
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				
f. Other N/A						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

1a. The bridge abutments will be keyed into the stream bed about 3 feet, however the use of rip-rap here and for about ten feet on either side, will help to stabilize the banks after construction.

1b. Some minor amounts of soil disruption will occur from the reclamation of the existing ford and construction of the new bridge. Construction of the bridge abutments will disturb about 36 linear feet of the bank on each bridge end and a two track road will result from accessing the site from the east. A road will not be developed on the west side of the slough due to dispersed and limited travel. Reclaiming the ford access road will increase productivity for a distance of about 60 feet on both sides of the slough and about 30 feet of shoreline reclamation will occur at the northern water gap. Reducing rip-rap along the eastern bank will cause some soil disturbance, but adding top soil and seeding all disturbed areas with riparian grass mix and sprigged willows will expedite the reclamation.

1c. No unique geologic or physical features exist at the current or new easement locations.

1d. Inserting rip-rap to support the new bridge will modify the banks of the slough; however, it is not expected to cause notable future deposition or erosion effects on the stream channel. Siltation caused by construction will be minor and temporary. Construction will be during a period of low water and equipment will be operated from the bank, not in the stream bed. Standard silt fence will be used during construction to reduce runoff. In addition, the removal of northern water gap and fencing of two gaps will alleviate channel aggredation.

☼ Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.

▸ Include a narrative description addressing the items identified in 12.8.604-1a (ARM)

♦ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

♦♦ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

PHYSICAL ENVIRONMENT

2. AIR **Will the proposed action result in:**	IMPACT ☼				Can Impact Be Mitigated ☼	Comment Index
	Unknown☼	None	Minor☼	Potentially Significant		
▸ a. Emission of air pollutants or deterioration of ambient air quality? (also see 13 (c))			X		yes	2a. see below
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
♦e. For P-R/D-I projects, will the project result in any discharge which will conflict with federal or state air quality regs? (Also see 2a)		N/A				
f. Other N/A						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Air Resources (Attach additional pages of narrative if needed):

2a. Slight amounts of dust will result during construction of the bridge abutments, placing rip-rap, and reclaiming the existing ford area. Ground disturbance will be limited to the immediate construction area, and levels of dust may be reduced by late winter construction period when soils are often moist.

☼ Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.

▸ Include a narrative description addressing the items identified in 12.8.604-1a (ARM)

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PHYSICAL ENVIRONMENT

3. WATER Will the proposed action result in:	IMPACT☼				Can Impact Be Mitigated☼	Comment Inde
	Unknown☼	None	Minor☼	Potentially Significant		
▸ a. Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?			X			3a. see below
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				
c. Alteration of the course or magnitude of flood water or other flows?		X				3c. see below
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?			X positive			3h. see below
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				3j. see below
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
♦♦l. For P-R/D-I, will the project affect a designated floodplain? (Also see 3c)		N/A				
♦m. For P-R/D-I, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a)		N/A				
n. Other: _____N/A						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Water Resources (Attach additional pages of narrative if needed):

3a. Construction of the new bridge abutments will create slight and temporary turbidity due to bank alterations.

3c. Review of the site and plans by the fisheries biologist recommend maintaining 50% of the floodplain width on the west bank to allow for flood events.

3h. Risk of surface water will be reduced with the construction of the bridge and the elimination of vehicles fording the stream.

3j. The slough is a source for irrigation, but not used during the period proposed for construction (late winter); therefore, other water users downstream will not be affected by temporary turbidity created by construction. Construction is also proposed to be completed in late winter to avoid fall spawning brown trout activities and angler pressure is expected to be very light at this time. FWP estimates 344 winter angler days March 1999-April 1999 and October 1999-February 2000 (winter pressure) compared to 2,588 angler days May through September 1999. Overall water quality will improve by eliminating vehicles passing through the stream.

☼ Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impa has not or can not be evaluated.

▸ Include a narrative description addressing the items identified in 12.8.604-1a (ARM)

♦ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

♦♦ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

PHYSICAL ENVIRONMENT

4. VEGETATION Will the proposed action result in:	IMPACT* Unknown*	None	Minor*	Potentially Significant	Can Impact Be Mitigated*	Comment Index
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?			X		yes	4a. see below
b. Alteration of a plant community?		X				
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				4c. see below
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?			X		yes	4e. see below
♦♦f. For P-R/D-I, will the project affect wetlands, or prime and unique farmland?		N/A				
g. Other: N/A						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

4a. The construction of bridge abutments on either side of the slough will cause a slight reduction in common grasses and willows. Banks at the ford site are gradual and will not readily break down from cattle use. Fencing will limit access to the streambed. Areas on both sides of the ford, the northern water gap, and areas disturbed by rip-rap removal and bridge construction will all be reclaimed by planting riparian grass seed mix and sprigged willows. The ford access road will be scarified and top soil added prior to planting. Sod and topsoil from the bridge construction site may be moved to cover the eastern rip-rap bank below the ford.

4c. A data search by the Montana Natural Heritage Program did not reveal any plant species of special concern in the project vicinity.

4e. Areas disturbed by construction are prone to the establishment of noxious weeds. The private landowner/contractor will use weed-seed-free construction equipment. The contractor has standard operating procedures to reduce the risk of spreading weeds, including washing equipment before entering the site. In addition, the private landowner will inspect the project sites for noxious weeds and apply herbicide or hand pull weeds in the project area. FWP also regularly monitors the FAS and will focus on disturbed areas until adequate desirable vegetation has established. Weed control on FAS property will be in accordance with the FWP Region 3 Weed Management Plan. Adding top soil from on-site excavation and seeding disturbed areas with a native riparian seed mixture will compete with noxious weeds and reduce the likelihood of weed establishment.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.

▸ Include a narrative description addressing the items identified in 12.8.604-1a (ARM)

♦ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

♦♦ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

PHYSICAL ENVIRONMENT

▸ 5. FISH/WILDLIFE Will the proposed action result in:	IMPACT ☼ Unknown ☼	None	Minor ☼	Potentially Significant	Can Impact Be Mitigated ☼	Comment Index
a. Deterioration of critical fish or wildlife habitat?			X positive			5a. see below
b. Changes in the diversity or abundance of game animals or bird species?		X				
c. Changes in the diversity or abundance of nongame species?		X				
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?		X				
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				
g. Increase conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?		X				
♦♦h. For P-R/D-I, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f)		N/A				
♦i. For P-R/D-I, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d)		N/A				
j. Other: N/A						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

The narrow Poindexter Slough wanders through farmland and willow bottoms. It provides habitat for small mammals, numerous whitetailed deer, neotropical migrants, migratory and resident waterfowl, common reptiles and amphibians. The fishing access site is popular for anglers. The FWP Statewide Angling Pressure research for 1999 estimates 2,932 angler days annually on Poindexter Slough.

FWP Fisheries Biologist Dick Oswald states that brown trout and mountain whitefish are the primary game fish in the slough. Brook trout and rainbow trout are common but not abundant in these waters. Other species found in these waters include: mottled sculpin, longnose sucker, white sucker, and longnose dace. Arctic grayling and cutthroat trout do not inhabit these waters, nor do any other threatened or endangered fish species. FWP Grayling Coordinator Jim Magee affirms that no Arctic grayling have been collected in Poindexter Slough to date and it is unlikely that they inhabit the Slough at this time despite the grayling reintroduction effort in the lower Beaverhead River. The Arctic grayling recovery reach of the Beaverhead River lies below the mouth of Stodden Slough, many miles down river from the mouth of Poindexter Slough.

Oswald inspected the proposed bridge site with the adjacent landowner and supports the installation of a bridge that maintains 50% of the floodplain width on the west bank. The bridge will alleviate channel aggredation at the ford fences and eliminate streambed disturbance by vehicles or cattle during spawning periods. Oswald stated that the existing ford access and closed water gap will be reclaimed with native riparian seed mixture and/or sprigged willows. Standard silt fence should be used during construction to reduce runoff. The rip-rap bank below the ford area needs topsoil and/or sod added, then planting with native riparian seed mixture and sprigged willows after reducing the elevation. Oswald stated that construction should not take place between mid-October to mid December when brown trout are spawning. January and February are good times for construction to occur at Poindexter Slough.

☼ Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impa has not or can not be evaluated.

▸ Include a narrative description addressing the items identified in 12.8.604-1a (ARM)

♦ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

♦♦ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

The Montana Natural Heritage Program searched the data base for species of special concern, which revealed three species: bald eagle (listed threatened), Great Basin pocket mouse (globally secure, but rare and vulnerable to extinction in the state), ferruginous hawk (breeding pairs found within a restricted range).

FWP Nongame Coordinator Dennis Flath stated that an active bald eagle nest south of the project about 2 miles will not be disturbed by the proposed construction. The slough does provide foraging habitat for the eagles, thus the bridge could improve habitat by improving water quality and reducing disturbance. He stated that the Great Basin pocket mouse is on the very northern edge of their range. Because this project affects only the stream banks, will not increase irrigation or convert range land to crop land, it is unlikely that the project will alter pocket mouse habitat. The ferruginous hawk primarily inhabits open rangeland and forages in the foothills; therefore, it is also unlikely that this project along the floodplain will impact the ferruginous hawk. No other species of concern have been identified on this site. Overall, Flath indicated that a bridge could improve the habitat for nongame species.

FWP Wildlife Biologist Gary Hammond and Bureau of Land Management Wildlife Biologist Jim Rosco do not anticipate notable impacts to wildlife or wildlife habitat by the proposed project. Hammond states that both resident and migratory waterfowl utilize sloughs and the Beaverhead River. As long as water remains unfrozen, some of these waterfowl remain in this area throughout the winter. Bald eagles utilize waterfowl in these open water areas. Both biologists confirmed the bald eagle nest to the south and added that osprey use the area and neighboring ponds. Negligible impacts are expected from the project.

5a. Eliminating streambed disturbance by vehicle and cattle crossings will improve fisheries habitat.

HUMAN ENVIRONMENT

6. NOISE/ELECTRICAL EFFECTS	IMPACT ☼				Can Impact Be Mitigated ☼	Comment Index
Will the proposed action result in:	Unknown ☼	None	Minor ☼	Potentially Significant		
a. Increases in existing noise levels?			X			6a. see below
b. Exposure of people to severe or nuisance noise levels?		X				6b. see below
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				
e. Other: N/A						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

6a. Noise will increase temporarily during construction due to the need for heavy equipment, such as a backhoe and dump truck, to complete the project.

6b. Construction will occur during a six week construction period when few people are using Poindexter Slough Fishing Access Site. The nearest residence is the landowner proposing the project about one half mile east. Construction noise will blend with existing noise created by Interstate 15 and the railroad to the west.

☼ Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.
▸ Include a narrative description addressing the items identified in 12.8.604-1a (ARM)
♦ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
♦♦ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

HUMAN ENVIRONMENT

7. **LAND USE** Will the proposed action result in:	IMPACT ☼ Unknown☼	None	Minor ☼	Potentially Significant	Can Impact Be Mitigated☼	Comment Index
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		X				
b. Conflict with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				7c. see below
d. Adverse effects on or relocation of residences?		X				
e. Other: N/A						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

7c. Moving the easement from the existing ford to the upstream proposed bridge location must be approved by the FWP Commission.

HUMAN ENVIRONMENT

8. **RISK/HEALTH HAZARDS** Will the proposed action result in:	IMPACT ☼ Unknown ☼	None	Minor☼	Potentially Significant	Can Impact Be ☼ Mitigated	Comment Index
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?			X		yes	8a. see below
b. Affect an existing emergency response or emergency evacuation plan or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?		X				
♦d. For P-R/D-I, will any chemical toxicants be used? (Also see 8a)		N/A				
e. Other: N/A						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

8a. Installing a bridge will eliminate vehicles from crossing the stream in the existing ford location and reduce the risk of chemical leaks into the water. FWP will continue to use herbicides when appropriate to combat noxious weeds in accordance with the FWP Region 3 Weed Management Plan and application guidelines.

☼ Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impac has not or can not be evaluated.

▸ Include a narrative description addressing the items identified in 12.8.604-1a (ARM)

♦ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

♦♦ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

HUMAN ENVIRONMENT

9. COMMUNITY IMPACT Will the proposed action result in:	IMPACT ☼ Unknown ☼	None	Minor ☼	Potentially Significant	Can Impact Be Mitigated ☼	Comment Index
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?			X			9c. see below
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				
f. Other: _____N/A						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

9c. Local builders will complete the project, thus temporarily providing employment. Personal income may be reduced for the landowner proposing the project due to the costs of the project and associated permits, environmental assessment, etc.

HUMAN ENVIRONMENT

10. PUBLIC SERVICES/TAXES/UTILITIES Will the proposed action result in:	IMPACT ☼ Unknown ☼	None	Minor ☼	Potentially Significant	Can Impact Be Mitigated ☼	Comment Index
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify: _____		X				10a. see below
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Will the proposed action result in increased used of any energy source?		X				
▸ e. Define projected revenue sources						10e. see below
▸ f. Define projected maintenance costs.						10e. see below
g. Other:_____N/A						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

☼ Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.

▸ Include a narrative description addressing the items identified in 12.8.604-1a (ARM)

♦ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

♦♦ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

10a. FWP is expending additional time and employee salary to comply with environmental and land easement laws necessary to complete the project. The FWP Lands Division visited the site and is preparing the easement changes. In conjunction with the Beaverhead Conservation District, the FWP Fisheries Division visited the site, reviewed plans and made recommendations for the approval of a SB310 Permit for the project. The Parks Division visited the site, reviewe construction plans, will distribute the EA, respond to public comment and publish the decision notice. One or more of these parties must present the project to the FWP Commission for approval of the easement relocation. The Parks Division will improve and maintain fences along the slough to secure the banks from livestock immediately after completion of the bridge. Upon completion of the construction, the Parks and Fisheries Divisions will revisit the site for approval and monitor noxious weed growth. These will be one-time actions, except for regular weed monitoring efforts and continuing fence maintenance.

10e. All construction, maintenance and reclamation costs associated with the project will be assumed by the adjacent private landowner who is proposing the project.

HUMAN ENVIRONMENT

▸ 11. AESTHETICS/RECREATION Will the proposed action result in:	IMPACT ☼ Unknown ☼	None	Minor ☼	Potentially Significant	Can Impact Be Mitigated ☼	Comment Index
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?			X		yes	11a. see below
b. Alteration of the aesthetic character of a community or neighborhood?		X				
▸c. Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report)		X				11c. see below
♦d. For P-R/D-I, will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c)		N/A				
e. Other: N/A						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

The Poindexter Slough Fishing Access Site is popular due to its high quality angling opportunities. The riparian grass and willow habitat offer a tranquil beauty close to Dillon and easily accessed from Interstate 15.

11a. The view of rip-rap abutments and a wooden bridge across the slough will alter the aesthetics of the far southern end of the fishing access site. Visitation is probably lower at this far end due to the distance from the parking area. Removing the dilapidated fence along the ford route will improve this section. Reduction of rip-rap on the east bank below the ford and sod/grass and willows planted on top will add to the natural aesthetics of this stretch of the slough. The seeding of native riparian grass mixture and sprigged willows in areas disturbed by construction will add to the natural aesthetics of the slough channel. Fence improvements will give the area a cleaner and maintained image.

11c. The use of pole fences to define water gaps and bridge access will allow continued access by anglers along the slough, allow for reclamation, yet restrict cattle access to the stream. No notable changes in access opportunity or quality are anticipated.

☼ Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impa has not or can not be evaluated.
▸ Include a narrative description addressing the items identified in 12.8.604-1a (ARM)
♦ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
♦♦ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

HUMAN ENVIRONMENT

12. CULTURAL/HISTORICAL RESOURCES Will the proposed action result in:	IMPACT ☼ Unknown ☼	None	Minor ☼	Potentially Significant	Can Impact Be Mitigated ☼	Comment Index
▸a. Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance?		X				12a. see below
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
♦♦d. For P-R/D-I, will the project affect historic or cultural resources? **Attach SHPO letter of clearance.** (Also see 12.a)		N/A				
e. Other: N/A						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

12a. The SHPO was consulted in June 2001, at which time they indicated that previous cultural resource inventories identified cultural properties in the area, but did not cover the exact project location. The SHPO recommended a cultural resource survey be completed prior to construction. This survey was conducted in fall 2001 by a private consultant and no cultural properties were found at the project site. When the final cultural report is received by FWP, the FWP Cultural Coordinator will consult with SHPO requesting concurrence with the proposed project.

HUMAN ENVIRONMENT

13. SUMMARY EVALUATION OF SIGNIFICANCE Will the proposed action, considered as a whole:	IMPACT ☼ Unknown ☼	None	Minor ☼	Potentially Significant	Can Impact Be Mitigated ☼	Comment Index
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources which create a significant effect when considered together or in total.)		X				
b. Involve potential risks or adverse effects which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				
♦f. For P-R/D-I, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e)		X				
♦♦g. For P-R/D-I, list any federal or state permits required.		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

☼ Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.
▸ Include a narrative description addressing the items identified in 12.8.604-1a (ARM)
♦ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
♦♦ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

PART III. ALTERNATIVES AND PUBLIC INVOLVEMENT

1. Description and analysis of reasonable alternatives (including the no action alternative) to the proposed action, whenever alternatives are reasonably available and prudent to consider, and a discussion of how the alternatives would be implemented:

Alternative 1. No Action
If a bridge is not constructed and the existing easement continues to be used, vehicle and cattle traffic would continue to disturb the streambed in the fall when brown trout are spawning. Minor fencing maintenance may be completed to repair the existing water gaps, but the shoreline would continue to degrade from cattle use at the northern gap. The rip-rap bank downstream of the existing ford would not be altered. FWP may cooperate with the adjacent landowner to complete these minor repairs.

Alternative 2. Construct bridge at the existing ford easement, improve northern water gap, reduce east bank rip-rap elevation.
The existing easement location has gradual, sloping stream banks and the stream is about 60 feet wide, which would require a bridge about 3 times as long as proposed to allow for flooding events. Bridge abutments would require much more backfill and soil disturbance to provide approach roads. A bridge in this location would impact the environment more and be much more obtrusive to the aesthetics; however, it would alleviate streambed disturbance and improve fisheries habitat at the ford site. The northern water gap fence would be repaired and the rusty barrel removed, but bank degradation would continue from cattle use. The downstream rip-rap elevation would be reduced and reclaimed on top. Costs would be much greater to complete this alternative. Construction, reclamation, and costs would be completed by the adjacent private landowner with input and design approval from FWP Region 3 Parks Division and the FWP Design and Construction Bureau.

Alternative 3. Preferred (proposed) Alternative: Relocate easement, construct bridge, remove northern water gap, fence two water gaps at existing ford crossing, reduce east bank rip-rap elevation.
This alternative utilizes one of the best locations for a bridge on this end of the FAS, when considering bank structure and slough width (approximately 10 feet). Due to its small scale, impacts to the environment and aesthetic values will be considerably less than Alternative 2. This will allow for undisturbed spawning of brown trout at the existing gravel ford location. Removal of the northern water gap will allow for bank reclamation; fencing of two water gaps at existing ford location will allow for water access in a hardened, gravel area which is better able to withstand cattle impacts. The downstream rip-rap elevation would be reduced and seeded or sprigged with willows to stabilize the bank and diminish the aesthetic impacts. Construction, reclamation, and associated costs would be completed by the adjacent private landowner with input and design approval from FWP Region 3 Parks Division and the FWP Design and Construction Bureau. The FWP Commission must approve the easement relocation.

2. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:

Disturbed soil will be stabilized by rip-rap, or reclamation methods that include scarifying packed roads, adding top soil and or sod from the construction area, planting native riparian grass seed mix and sprigged willows. Fencing of new water gaps at the gravel ford site and elimination of the northern gap will aid in vegetation regrowth and bank stabilization. Fence maintenance/repairs and reclamation projects add to the aesthetics of the area, as well.

Construction will take place during a period of low water, ideally in January or February. Standard silt fence will be used during construction to reduce runoff. Equipment will operate from the stream bank. Effects of turbidity on other water users will be limited by the time period when construction occurs when the slough is not used for irrigation and angling pressure is low.

Noxious weed control is a critical component of the fishing access site program. The risk of chemical accidents is reduced by using trained applicators to apply herbicides on FAS property in accordance with the R-3 Weed Management Plan and herbicide application guidelines.

3. Based on the significance criteria evaluated in this EA, is an EIS required? NO
If an EIS is not required, explain <u>why</u> the EA is the appropriate level of analysis for this proposed action.

This environmental review revealed no significant negative impacts from the proposed action; therefore, an EIS is not necessary and an Environmental Assessment is the appropriate level of analysis.

4. Describe the level of public involvement for this project if any and, given the complexity and the seriousness of the environmental issues associated with the proposed action, is the level of public involvement appropriate under the circumstances?

The public will be notified in the following manners to comment on the EA, the proposed action and alternatives:

- Two legal notices in each of these papers: Helena Independent Record, Dillon Tribune, Montana Standard (Butte);
- Public Notice on the Fish, Wildlife & Parks web page: *http://fwp.state.mt.us/notices/default.asp*.

Copies of the EA will be mailed directly to the neighboring landowners to ensure their knowledge of the proposed action.

The opportunities for public input listed above are appropriate for the proposed actions since few negative environmental impacts are identified.

5. Duration of comment period if any:

The public comment period will extend for thirty (30) days following the publication of the second legal notice. Written comments will be accepted until 5:00 p.m., March 18, 2002 and can be mailed to the address below:

Poindexter Slough FAS EA
Montana Fish, Wildlife & Parks
1400 S. 19th Ave.
Bozeman, MT 59718

Or email comments to: *tgreason@montana.edu*

6. Name, title, address and phone number of the Person(s) Responsible for Preparing the EA:

Sue Dalbey
Independent Contractor
Dalbey Resources
926 N. Lamborn St.
Helena, MT 59601
406-443-8058

Tom Miller
adjacent landowner
R.E. Miller & Sons
15 Ramshorn
Dillon, MT 59725
406-683-2175

Tom Greason
Parks Maintenance Supervisor
Montana Fish, Wildlife & Parks
1400 S. 19th Ave.
Bozeman, MT 59718
406-994-4042

PART IV. NARRATIVE EVALUATION AND COMMENT

This analysis did not reveal any significant impacts to the human or physical environment by the proposed project. Some minor impacts will occur to the vegetation and water during construction; however, these will be temporary effects and can be mitigated. The project will benefit the stream channel and brown trout spawning potential. Impacts to threatened or endangered species are expected to be negligible from the project. No unique cultural, geological, or physical features will be affected.

The proposed project is an effort by a private landowner to improve fisheries habitat in Poindexter Slough. Angler access will continue within the fishing access site. Pole or jack-leg fences will be used to limit cattle access to the stream, but allow easy crossing or pass-through by anglers. The proposed seeding and willow reclamation strategies will improve bank stabilization. Water gaps at the ford area will withstand cattle use better due to the erosion resistant gradual slope and gravel bottom at this site. It would be beneficial to fisheries habitat to utilize a bridge to eliminate disturbance caused by fording the stream. This project will allow continued public access and use of a private easement, yet retain a minimal amount of development. It will protect the resource, while also addressing concerns of the neighboring landowner. These are issues important to the future of the Fishing Access Site program.

APPENDICES

1. HB495 Qualification Checklist
2. Site Location Map
3. Site Map
4. Bridge Design
5. Tourism Report – Department of Commerce

APPENDIX 1
HOUSE BILL 495 PROJECT QUALIFICATION CHECKLIST

Date: November 10, 2001 **Person Reviewing:** Sue Dalbey, consultant
Dalbey Resources

Project Location: The ford and proposed bridge location is at the south end of Poindexter Slough Fishing Access Site, which can be reached by traveling three miles south of Dillon on Highway 41, then walking south along the slough for approximately ¾ mile. The site can be reached by vehicle through private property accessed from Carrigan Lane which turns south off Highway 41. The site is in Beaverhead County, Montana, Township 7 South, Range 9 West, S ½ SE ¼ SE ¼ Section 34.

Description of Proposed Work: Relocate easement, construct bridge, remove northern water gap, fence two water gaps at existing ford crossing, reduce east bank rip rap elevation at Poindexter Slough Fishing Access Site.

The following checklist is intended to be a guide for determining whether a proposed development or improvement is of enough significance to fall under HB 495 rules. (Please check ✓ all that apply and comment as necessary.)

[✓] A. New roadway or trail built over undisturbed land?
Comments: *The bridge will be located in an area previously undisturbed.*

[ ] B. New building construction (buildings <100 sf and vault latrines exempt)?
Comments: *none*

[✓] C. Any excavation of 20 c.y. or greater?
Comments: *Construction of bridge abutments and rip-rap removal and placement will require excavation of more than 20c.y.*

[ ] D. New parking lots built over undisturbed land or expansion of existing lot that increases parking capacity by 25% or more?
Comments: *none*

[✓] E. Any new shoreline alteration that exceeds a double wide boat ramp or handicapped fishing station?
Comments: *The bridge will be 16 feet wide; rip rap will extend about 10 feet on each side on both east and west banks; shoreline alteration will be about 36 feet on each bank. Reducing the rip-rap on the eastern bank below the ford site will alter an additional 50 yards of shoreline above the high water mark.*

[✓] F. Any new construction into lakes, reservoirs, or streams?
Comments: *See E, above.*

[ ] G. Any new construction in an area with National Registry quality cultural artifacts (as determined by State Historical Preservation Office)?
Comments: *Negative results on the cultural survey.*

[ ] H. Any new above ground utility lines?
Comments: *none*

[ ] I. Any increase or decrease in campsites of 25% or more of an existing number of campsites?
Comments: *none*

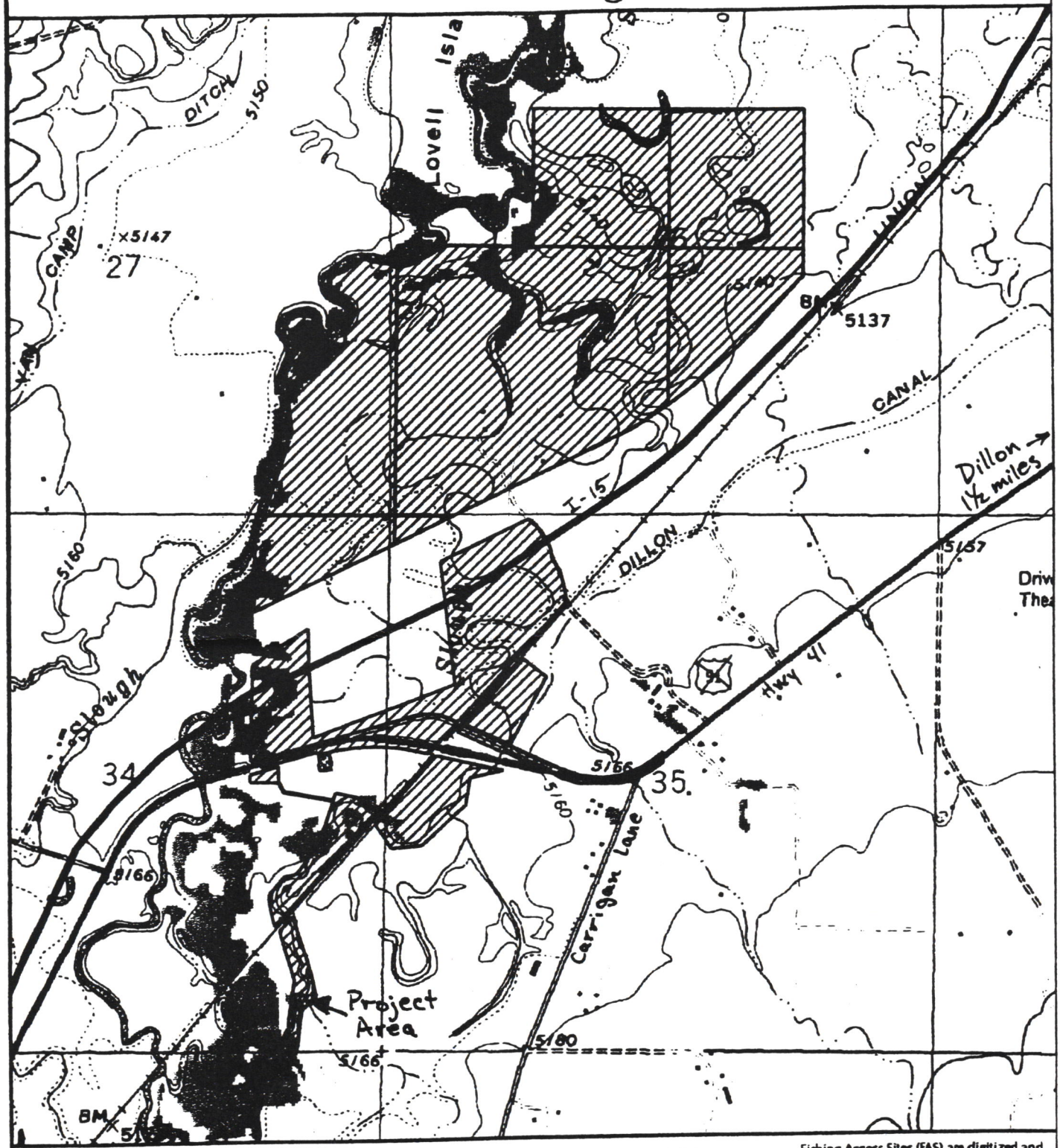
[ ] J. Proposed project significantly changes the existing features or use pattern; including effects of a series of individual projects?
Comments: *Use will remain similar to historic use.*

If any of the above are checked, HB 495 rules apply to this proposed work and should be documented on the MEPA/HB495 CHECKLIST. Refer to MEPA/HB495 Cross Reference Summary for further assistance.

APPENDIX 2

SITE LOCATION MAP

Poindexter Slough FAS



Lands Site Number: 3206

T7S/R9W

407.378 acres

Fee Simple FAS Parcel

0.134 acres

Agreements, Leases or Easements FAS Parcel

0 1000 2000

Scale in feet

Scale 1:16000

Fishing Access Sites (FAS) are digitized and maintained by the Information Services Unit of the Montana Fish, Wildlife and Parks. FAS's were digitized at 1:24,000 using the COGO module of ArcInfo. The background image is a USGS 7.5 minute quadrange digital raster graphic.

Montana Fish, Wildlife & Parks

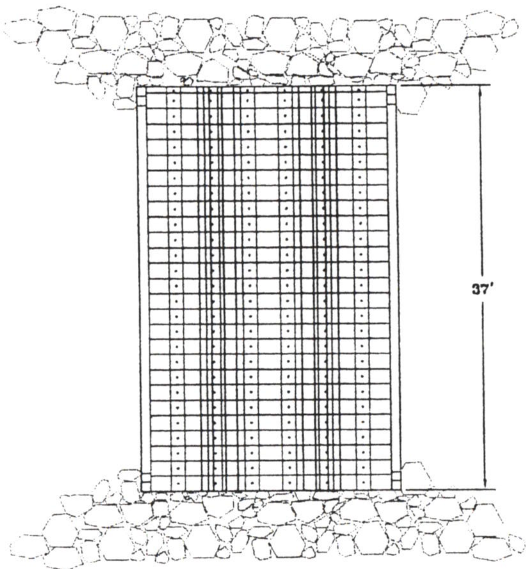
Map produced by NRIS, request# 00FWP6 - March 24, 2000

APPENDIX 3

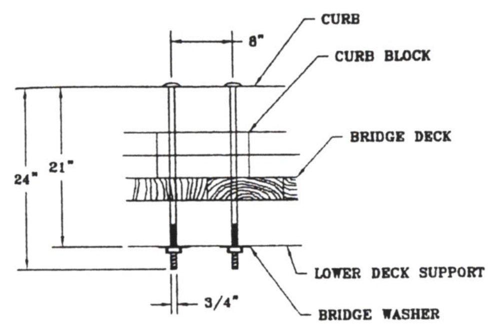
SITE MAP

Bridge Installation at Poindexter Slough Fishing Access Site

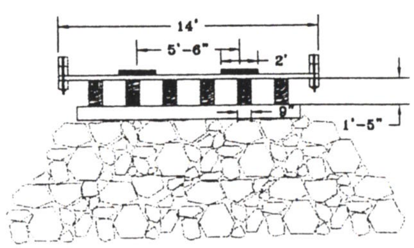
APPENDIX 4
PROPOSED BRIDGE DESIGN
Bridge Installation at Poindexter Slough Fishing Access Site



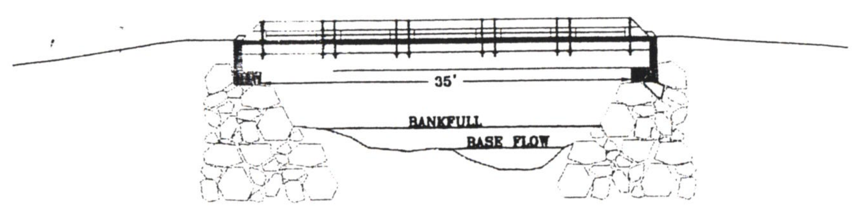
PLAN VIEW



CURB BLOCK AND BRIDGE BOLT DETAIL



END VIEW



SIDE VIEW

TOM MILLER
POINDEXTER BRIDGE

R. E. Miller & Sons
15 Ramshorn
Dillon, Montana
EXCAVATION
CONTRACTORS
406-683-2175

SHEET #: 1 OF 1

APPENDIX 5
TOURISM REPORT
MONTANA ENVIRONMENTAL POLICY ACT (MEPA)/HB495

The Montana Department of Fish, Wildlife and Parks has initiated the review process as mandated by HB495 and the Montana Environmental Policy Act in its consideration of the project described below. As part of the review process, input and comments are being solicited. Please complete the project name and project description portions and submit this form to:

Victor Bjornberg, Tourism Development Coordinator
Travel Montana-Department of Commerce
PO Box 200533
1424 9th Ave.
Helena, MT 59620-0533

Project Name: Bridge Installation at Poindexter Slough Fishing Access Site

Project Description: Relocate easement, construct bridge, remove northern water gap, fence two water gaps at existing ford crossing, reduce east bank rip rap elevation at Poindexter Slough Fishing Access Site.

1. Would this site development project have an impact on the tourism economy?

   (circle one) NO (YES) If YES, briefly describe:

   As described, the project appears to improve access to the area's recreational resources resulting in potential improvement for the tourism economy.

2. Does this impending improvement alter the quality or quantity of recreation/tourism opportunities and settings?

   (circle one) NO (YES) If YES, briefly describe:

   As described, the project appears to improve the quality of the recreation/tourism opportunities at the Poindexter Slough FAS.

Signature Victor R Bjornberg Date NOV. 28, 2001

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revised 5/00 sed